

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 - - -

4 ROBERT REVAK and :
MARGARET REVAK :

5 :
V. :

6 INTERFOREST TERMINAL :

7 UMEA AB :
and :

8 WAGENBORG SHIPPING B.V. : NO. 03-4822

9 - - -

10 September 26, 2006

11 - - -

12 Oral deposition of FRAN
13 HENDERSON, held in the office of Rawle &
14 Henderson, The Widener Building, One South
15 Penn Square, 1339 Chestnut Street,
16 Philadelphia, Pennsylvania 19107, commencing
17 at 3:40 p.m., on the above date, before Hope
18 Spade-Agosto, a Professional Court Reporter
19 and a Notary Public for the Commonwealth of
20 Pennsylvania.

21 - - -

22 ESQUIRE DEPOSITION SERVICES

23 Four Penn Center

1600 John F. Kennedy Boulevard

24 Suite 1210

Philadelphia, Pennsylvania 19103

(215) 988-9191

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1 other drafts that you had been taking
2 out?

3 A. Same as every other draft.

4 Q. Tell us then what you can
5 remember happening from the time you
6 started raising that load until the time
7 of the accident. What can you remember?

8 A. It was a normal lift, like
9 any other. You lifted it up until you
10 seen the load get out of the ship. Put
11 the hoist lever in neutral, apply the
12 brake, swing over the ship. Put the
13 power down lever to lower the load down
14 to the pier, drop it down on the pier at
15 the same rate of speed that I always do.
16 And when it was four foot, five foot off
17 the deck, the nylon strap let loose, and
18 all the lumber fell on Skinny.

19 Q. Did you have any warning
20 that this nylon strap was going to break
21 or cut loose?

22 A. No, sir.

23 @ATTY2: Objection to the form.

24 MR. GRUBER: Anything in

1 lumber here. (Indicating.)

2 Q. That's shown in 23N?

3 A. Yes, sir. It might have
4 been even more than what we actually see
5 in the picture there. They might have
6 moved some off of him.

7 Q. Now, so far you know, when
8 that draft was on its way up, when it
9 was on its way out, did it make any
10 contact with any portion of the ship?

11 A. No, sir.

12 MR. GRUBER: That's all I have.

13 - - -

14 EXAMINATION

15 - - -

16 BY MR. DONOVAN:

17 Q. Mr. Henderson, I have a few
18 for you, but I don't think I'll be that
19 long.

20 Had you seen Mr. Revak at
21 all before the strap let loose?

22 A. He was on the pier working.

23 Q. Okay. But where was he the
24 first time you saw? And let's take it